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----- DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act Notice is hereby given that on November 13, 2007, a proposed Consent Decree in United States v. Wilhelm Enterprises Corp., et al., Civil Action No. 07-CV-765, was lodged with the United States District Court for the Western District of New York. The proposed Consent Decree will settle the United States' claims on behalf of the U.S.

Environmental Protection Agency ("EPA") against 16 defendants pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606 and 9607, with respect to the Peter Cooper (Markhams)

Superfund Site, located in the Hamlet of Markhams, Town of Dayton, Cattaraugus County, New

York. The defendants include: Wilhelm Enterprises Corporation; Brown Shoe Company, Inc.;

Seton Company; GST AutoLeather; Prime Tanning Company, Inc.; Viad Corporation; ConAgra

Grocery Products Company, Inc.; Leucadia National Corporation; Beggs & Cobb Corporation;

Wolverine Worldwide, Inc.; Genesco, Inc.; Albert Trostel & Sons Co.; Blackhawk Leather Ltd.;

Eagle Ottawa, LLC; S.B. Foot Tanning Company; and Horween Leather Company ("Settling

Defendants"). Pursuant to the Consent Decree, Settling Defendants will pay a total of \$511,000

in reimbursement of the United States' response costs for the Site, plus interest. In addition, 12 of

the Settling Defendants will finance and perform the remedy selected by EPA for the Site,

estimated to cost \$1.3 million. The Department of Justice will receive comments relating to the

proposed Consent Decree for a period of thirty (30) days from the date of this [[Page 67320]]

publication. Comments should be addressed to the Assistant Attorney General, Environment and

Natural Resources Division, and either e- mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or

mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should

refer to United States v. Wilhelm Enterprises Corp., et al., Civil Action No. 07-CV-765, D.J.

Ref. 90-11-2-06887/4. The proposed Consent Decree may be examined at the Office of the

United States Attorney, Western District of New York, 128 Delaware Avenue, Buffalo, New

York 14202, and at EPA, Region 2, 290 Broadway, New York, New York 10007-1866. During

the public comment period, the proposed Consent Decree may also be examined on the

following Department of Justice Web site: <http://www.usdoj.gov/enrd/Consent-->

[Decrees.html](http://www.usdoj.gov/enrd/Consent--Decrees.html). A copy of the proposed Consent Decree may also be obtained by mail from the

Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-

7611 or by faxing or e- mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax

number (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy by

mail from the Consent Decree Library, please enclose a check in the amount of \$84.25 (\$0.25

per page reproduction cost) payable to the United States Treasury or, if requesting by e-mail or

fax, forward the check in that amount to the Consent Decree Library at the address stated above.

If requesting a copy exclusive of exhibits, please enclose a check in the amount of \$22.25 (\$0.25

per page reproduction cost) payable to the United States Treasury. Ronald Gluck, Assistant

Chief, Environmental Enforcement Section, Environment and Natural Resources Division. [FR

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